



New South Wales

# Crimes (Interstate Transfer of Community Based Sentences) Regulation 2010

under the

Crimes (Interstate Transfer of Community Based Sentences) Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Interstate Transfer of Community Based Sentences) Act 2004*.

PHILLIP COSTA, MP  
Minister for Corrective Services

## Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Crimes (Interstate Transfer of Community Based Sentences) Regulation 2004*, which is repealed on 1 September 2010 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) prescribing the Australian Capital Territory as a participating jurisdiction,
- (b) the details to be entered in the local register for the registration of an interstate community based sentence,
- (c) formal matters.

This Regulation is made under the *Crimes (Interstate Transfer of Community Based Sentences) Act 2004*, including sections 8 (3), 22 (3) and 31 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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### 1 Name of Regulation

This Regulation is the *Crimes (Interstate Transfer of Community Based Sentences) Regulation 2010*.

### 2 Commencement

This Regulation commences on 1 September 2010.

**Note.** This Regulation replaces the *Crimes (Interstate Transfer of Community Based Sentences) Regulation 2004* which is repealed on 1 September 2010 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definition

(1) In this Regulation:

*the Act* means the *Crimes (Interstate Transfer of Community Based Sentences) Act 2004*.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Participating jurisdiction

The Australian Capital Territory is declared to be a participating jurisdiction for the purposes of the Act.

### 5 Registration of interstate sentences—required details

The following are the required details that are to be entered in the local register for the registration of an interstate sentence:

(a) **Offender details**

The following details regarding the offender:

- (i) names (given and surname),
- (ii) aliases (if any),
- (iii) date of birth.

(b) **Sentence details**

The following details regarding the offender's sentence:

- (i) name or kind of interstate sentence,

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- (ii) name or kind of corresponding sentence in New South Wales,
  - (iii) length of sentence,
  - (iv) start date,
  - (v) date when offender first reported for interstate sentence in participating jurisdiction,
  - (vi) end date,
  - (vii) remaining period of sentence to be served in New South Wales,
  - (viii) sentence history including appeals and registrations in other participating jurisdictions.